

## U.S. Fish and Wildlife Serv., Interior

## § 32.49

### *D. Sport Fishing.* [Reserved]

[65 FR 30786, May 12, 2000, as amended at 65 FR 56405, Sept. 18, 2000; 69 FR 54362, 54430, Sept. 8, 2004; 70 FR 54183, Sept. 13, 2005; 73 FR 33192, June 11, 2008; 74 FR 45693, Sept. 3, 2009]

### § 32.49 New Jersey.

The following refuge units have been opened to hunting and/or fishing, and are listed in alphabetical order with applicable refuge-specific regulations.

#### CAPE MAY NATIONAL WILDLIFE REFUGE

*A. Migratory Game Bird Hunting.* We allow hunting of waterfowl, coot, moorhen, rail, common snipe, and woodcock on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. We allow hunting only on those refuge tracts located west of Route 47 in the Delaware Bay Division and on those tracts north of Route 550 in the Great Cedar Swamp Division. We prohibit hunting on the Two Mile Beach Unit.

2. Any time the State hunting regulations specify the requirement that hunters wear orange-colored clothing, you must wear, in a visible manner on head, chest, and back, a minimum of 400 square inches (2,600 cm<sup>2</sup>) of solid-colored, hunter-orange clothing or material. This must consist of a vest and hat or a jacket and hat. We prohibit blaze-orange camouflage.

3. You must remove all hunting blind materials, boats, and decoys at the end of each hunting day (see §27.93 of this chapter). We prohibit permanent or pit blinds.

4. The common snipe season on the refuge begins with the start of the State early woodcock south zone season and continues through the end of the State common snipe season.

5. You may possess only approved nontoxic shot in the field while hunting migratory game birds (see §32.2(k)).

6. We allow the use of retrieving and/or pointing dogs; however, the dogs must be under the hunter's control at all times (see §26.21(b) of this chapter), and we prohibit groups of three or more dogs per hunter. We prohibit dog training at all times.

7. We prohibit hunting on Sunday.

8. We prohibit falconry.

9. We prohibit motorized and nonmotorized vehicles on refuge lands. This includes, but is not limited to, vehicles, all-terrain vehicles, dirt bikes, motorcycles, and bicycles.

10. We prohibit hunting on all areas posted "Area Closed" and all areas marked as closed on the refuge "Hunt Map."

*B. Upland Game Hunting.* We allow hunting of rabbit and squirrel on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. Conditions A1, A2, and A7 through A10 apply.

2. We will allow rabbit and squirrel hunting following the end of the State's Six-Day Firearm Season for white-tailed deer, and it will end at the close of the regular rabbit and squirrel season.

3. We prohibit the use of dogs for hunting rabbit and squirrel. We prohibit dog training at all times.

4. You must remove all hunting stands, blinds, and hunting materials at the end of each hunting day (see §27.93 of this chapter). We prohibit permanent stands or blinds. We prohibit marking (this includes but is not limited to, the use of flagging, bright eyes, tacks, and paint), cutting, and/or removal of trees or vegetation (see §27.61 of this chapter).

*C. Big Game Hunting.* We allow hunting of white-tailed deer and turkey on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. We allow hunting of white-tailed deer on all areas of the refuge except for the Two Mile Beach Unit, areas posted "Area Closed," and all areas marked as closed on the refuge "Hunt Map."

2. We allow turkey hunting only on refuge tracts located north of County Route 550 in the Great Cedar Swamp Division. We prohibit hunting on the Two Mile Beach Unit, areas posted "Area Closed," and all areas marked as closed on the refuge "Hunt Map."

3. We prohibit the use of dogs for deer and turkey hunting.

4. Conditions A2 and A7 through A10 apply.

5. We prohibit the marking (this includes but is not limited to, the use of flagging, bright eyes, tacks, and paint), cutting, and/or removal of trees or vegetation (see §27.61 of this chapter).

6. You must remove all deer hunting stands, blinds, and hunting materials at the end of the State deer hunting season (see §27.93 of this chapter). We prohibit permanent stands or blinds. You should mark tree stands with owner information (name, address, and phone number).

7. You must remove all turkey hunting stands, blinds, hunting materials, and decoys at the end of each hunting day (see §27.93 of this chapter).

*D. Sport Fishing.* We allow sport fishing on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. We allow fishing from 1 hour before legal sunrise to 1 hour after legal sunset.

2. We allow fishing only along beach areas of the Two Mile Beach Unit.

3. The Atlantic Ocean beach is closed annually to all access, including fishing, between April 1 and September 30.

4. We prohibit commercial fishing, crabbing, and clamming on refuge lands.

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5. We prohibit fishing or possession of conchs or shellfish on refuge lands.

6. We prohibit dogs on the Two Mile Beach Unit.

7. We prohibit unauthorized vehicles, including all-terrain vehicles (ATVs), on any portion of the Two Mile Beach Unit.

8. We prohibit sunbathing on refuge lands.

9. We prohibit access to swimming or surfing in the Atlantic Ocean.

### EDWIN B. FORSYTHE NATIONAL WILDLIFE REFUGE

*A. Migratory Game Bird Hunting.* We allow hunting of waterfowl, coot, moorhen, and rail on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. You must remove all hunting blind materials, boats, and decoys (see § 27.93 of this chapter) at the end of each hunting day. We prohibit permanent or pit blinds.

2. You may use trained dogs for the retrieval of authorized game birds (see § 26.21(b) of this chapter).

3. You may possess a maximum of 25 approved nontoxic shotshells per day in all hunting units of the Barnegat Division and a maximum of 50 approved nontoxic shotshells per day in Unit 1 of the Brigantine Division (see § 32.2(k)).

4. In Hunting Unit B of the Barnegat Division, we restrict hunting to designated sites, with each site limited to one party of hunters.

5. In Hunting Units B, D, E, and F of the Barnegat Division, we require a minimum of six decoys, and we prohibit jump shooting.

6. Access is by boat only in all Units of the Barnegat Division except Unit A South and Unit F. You may access these units by foot or boat. Access is by boat only in all Units of the Brigantine Division.

7. You may not enter hunt Units before 4 a.m.

8. No person including, but not limited to, a guide, guide service, outfitter, club, or other organization, will provide assistance, services, or equipment on the refuge to any other person for compensation unless such guide, guide service, outfitter, club, or organization has obtained a Special Use Permit from the refuge for a fee.

*B. Upland Game Hunting.* [Reserved]

*C. Big Game Hunting.* We allow hunting of white-tailed deer in New Jersey Deer Management Zones 56, 57, and 58 in accordance with State regulations subject to the following conditions:

1. We require persons hunting on the refuge for the first time to attend one of the four refuge-specific hunter-orientation sessions conducted during the fall.

2. We require a State permit for the appropriate State Deer Management Zone. You must have this permit stamped and validated in person at the Brigantine or Barnegat of-

fice. Hunters will receive maps of the refuge-specific zones upon validation.

3. Hunters may enter the refuge no earlier than 2 hours before shooting time and must leave no later than 1 hour after the end of shooting time. Refuge hunting hours are consistent with State hunting hours.

4. During firearm big game season, hunters must wear in a visible manner on head, chest, and back a minimum of 400 square inches (2,600 cm<sup>2</sup>) of solid-colored, hunter-orange clothing or material.

5. You may scout on the 2 Sundays prior to the opening day of your respective zone permit.

*D. Sport Fishing.* We allow fishing at the Holgate Unit, Little Beach Island, Graveling Point, Lily Lake, and the posted fishing areas along the south side of Parkertown Dock Road, North side of Cedar Run Dock Road, end of Stafford Avenue, and the middle branch of the Forked River in accordance with State regulations subject to the following conditions:

1. We close the Holgate unit and Little Beach Island during the migratory bird nesting season. We may extend the closure of the bay side portion of the Holgate Unit through October.

2. We require a Special Use Permit to fish from Little Beach Island. You may obtain permits from the refuge headquarters.

3. We only allow car-top-type launches at Lily Lake. There is no boat ramp.

4. We prohibit use of internal combustion engines on Lily Lake.

5. We will close the Forked River fishing area during zone 58 big game hunting season.

6. We will open Forked River and Lily Lake from legal sunrise until legal sunset.

7. We prohibit fishing, clamming, and crabbing from any waters within tract 122X, locally known as the AT&T properties. We close this tract to all public use.

### GREAT SWAMP NATIONAL WILDLIFE REFUGE

*A. Migratory Game Bird Hunting.* [Reserved]

*B. Upland Game Hunting.* [Reserved]

*C. Big Game Hunting.* We allow hunting of deer on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. We require a State permit for the appropriate New Jersey Deer Management Zone.

2. In addition to the State permit, we require a Deer Hunting Permit (along with a fee) issued by the refuge. This permit must be stamped for validation.

3. We require refuge hunters to pass a written examination before allowing them to hunt on the refuge.

4. Hunters must wear in a visible manner on head, chest, and back a minimum of 400 square inches (2,600 cm<sup>2</sup>) of solid-colored hunter-orange clothing or material.

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5. Hunters must be in possession of refuge and State hunting permits at all times while hunting on the refuge.

6. Refuge hunting regulations, as listed in the "Great Swamp National Wildlife Refuge Public Deer Hunt Map," and found in the examination, will be in effect.

### D. Sport Fishing. [Reserved]

#### SUPAWNA MEADOWS NATIONAL WILDLIFE REFUGE

A. *Migratory Game Bird Hunting.* We allow hunting of geese and ducks on designated areas of the refuge during designated refuge seasons subject to the following conditions:

1. We allow loaded and uncased firearms in an unanchored boat only when retrieving crippled birds.

2. You must remove all hunting blind materials, boats, and decoys following each day's hunt. We do not allow permanent blinds.

3. You may possess only approved nontoxic shot while in the field.

### B. Upland Game Hunting. [Reserved]

C. *Big Game Hunting.* We allow hunting of white-tailed deer on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. We allow only bow hunting on the refuge.

2. We require a State permit for the appropriate State Deer Management Zone.

D. *Sport Fishing.* We allow fishing and crabbing on the refuge in designated areas subject to the following conditions:

1. We prohibit the taking of frogs, salamanders, and turtles from all nontidal waters and refuge lands.

2. We prohibit fishing in designated nontidal waters from sunset to sunrise.

3. We prohibit bow fishing in nontidal waters.

#### WALKKILL RIVER NATIONAL WILDLIFE REFUGE

A. *Migratory Game Bird Hunting.* We allow hunting of migratory birds on designated areas of the refuge in accordance with State of New Jersey regulations and subject to the following conditions:

1. You must submit a Migratory Bird Hunt Application (FWS Form 3-2357) to hunt on the refuge. We require hunters to possess a signed refuge hunt permit (name and address only) at all times while scouting and hunting on the refuge. We charge a fee for all hunters except youth age 16 and younger.

2. We issue one companion permit (no personal information) at no charge to each hunter. We allow companions to observe and/or call but not to shoot a firearm or bow. Companion and hunters must set up in the same location.

3. We provide hunters with hunt maps and parking permits (name only) which they must clearly display in their vehicle. Hunt-

ers who park on the refuge must park in identified hunt parking areas.

4. We provide a designated hunting area at 119 Owens Station Road, Vernon, New Jersey. We reserve this property for the exclusive use of those physically challenged individuals who have produced evidence of the NJ Permit to Shoot or Hunt from a Stationary Vehicle and possess a signed, disabled hunter refuge permit.

5. We prohibit the use of all-terrain vehicles (ATVs) on the refuge.

6. We require hunters to wear, in a conspicuous manner, a minimum of 400 square inches (2,600 cm<sup>2</sup>) of solid-color, hunter-orange clothing or material on the head, chest and back, except when hunting ducks and geese.

7. We prohibit hunters using or erecting permanent or pit blinds.

8. We require hunters to remove all hunting blind material, boats, and decoys from the refuge at the end of each hunting day (see §27.93 of this chapter).

9. We allow pre-hunt scouting; however, we prohibit the use of dogs during scouting.

10. We limit the number of dogs per hunting party to no more than two dogs.

11. We allow hunters to enter the refuge 2 hours before shooting time, and they must leave no later than 2 hours after the end of shooting time.

12. We prohibit the hunting of crows on the refuge.

### B. Upland Game Hunting. [Reserved]

C. *Big Game Hunting.* We allow hunting of white-tailed deer and wild turkey on designated areas of the refuge in accordance with State of New Jersey regulations and subject to the following conditions:

1. You must submit a Big Game Hunt Application (FWS Form 3-2356) to hunt on the refuge. We require hunters to possess a signed refuge hunt permit (name and address only) at all times while scouting and hunting on the refuge. We charge a fee for all hunters except youth age 16 and younger.

2. Conditions A3 through A5, A9, and A11 apply.

3. We require firearm hunters to wear, in a conspicuous manner, a minimum of 400 square inches (2,600 cm<sup>2</sup>) of solid-color, hunter-orange clothing or material on the head, chest and back. Bow hunters must meet the same requirements when firearm season is also open. We do not require turkey hunters to wear orange at any time.

4. We require hunters to remove all stands and other hunting material from the refuge at the end of each hunting day (see §27.93 of this chapter).

5. We allow pre-hunt scouting; however, we prohibit the use of dogs during scouting or while turkey hunting.

6. We allow deer drives only on the last day of each hunt season.

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7. We prohibit baiting on refuge lands (see § 32.2(h)).

*D. Sport Fishing.* We allow fishing in designated sections of the refuge in both New York and New Jersey in accordance with State regulations and subject to the following conditions:

1. We allow fishing in and along the banks of the Wallkill River. We allow shore fishing only in the pond at refuge headquarters and the ponds located at 285 Lake Wallkill Road, Vernon, New Jersey.

2. Anglers may fish from legal sunrise to legal sunset.

3. We require that anglers park in designated parking areas to access the Wallkill River through the refuge.

4. On refuge ponds, you may perform only catch-and-release fishing. We prohibit the use of live bait fish on refuge ponds.

5. We prohibit ice fishing on refuge ponds.

6. We prohibit the taking of reptiles and amphibians.

7. We prohibit the digging or collecting of bait.

8. We prohibit commercial fishing on the refuge.

[58 FR 5064, Jan. 19, 1993, as amended at 58 FR 29075, May 18, 1993; 59 FR 6686, Feb. 11, 1994; 59 FR 55187, Nov. 3, 1994; 60 FR 52868, Oct. 11, 1995; 60 FR 62044, Dec. 4, 1995; 61 FR 46397, Sept. 3, 1996; 62 FR 47380, Sept. 9, 1997; 63 FR 46919, Sept. 3, 1998; 65 FR 30787, May 12, 2000; 65 FR 56406, Sept. 18, 2000; 66 FR 46360, Sept. 4, 2001; 69 FR 54362, 54432, Sept. 8, 2004; 73 FR 33192, June 11, 2008; 74 FR 45693, Sept. 3, 2009; 76 FR 3984, Jan. 21, 2011]

## § 32.50 New Mexico.

The following refuge units have been opened for hunting and/or fishing, and are listed in alphabetical order with applicable refuge-specific regulations.

### BITTER LAKE NATIONAL WILDLIFE REFUGE

*A. Migratory Game Bird Hunting.* We allow hunting of goose, duck, coot, mourning dove, and sandhill crane on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. On the North Tract (including Salt Creek Wilderness Area and the portion of the refuge located north of U.S. Highway 70) all hunting must be in accordance with State seasons and regulations. On the Middle Tract (the portion of the refuge located between U.S. Highway 70 and U.S. Highway 380), we restrict hunting to goose, duck, sandhill crane, and American coot (no dove):

i. In the designated public hunting area;

ii. In the southern portion of the Tract that never approaches closer than 100 yards (90 m) to the public auto tour route;

iii. In the southern portion of the Tract only, we limit hunting to Tuesdays, Thurs-

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days, and Saturdays during the period when the State seasons for that area are open simultaneously for most of these species;

iv. All hunting must cease at 1 p.m. (local time) on each hunt day; and

v. On the South Tract (the portion of the refuge located south of U.S. Highway 380), we allow hunting only during Special hunts (youth hunters age 17 and younger and/or physically impaired) as per State seasons and regulations.

2. You may only possess approved nontoxic shot while in the field (see § 32.2(k)).

3. We prohibit pit or permanent blinds and require daily removal of all waterfowl decoys and all temporary blinds/stands (see § 27.93 of this chapter).

4. Hunters must directly attend all personal property at all times (see § 27.93 of this chapter).

5. We allow unleashed hunting/retrieving dogs on the refuge when hunters are legally present in areas where we allow hunters, only if the dogs are under the immediate control of hunters at all times (see § 26.21(b) of this chapter), and only to pursue species legally in season at that time.

6. We prohibit hunters and their dogs from entering closed areas for retrieval of game.

7. We do not require refuge or other special hunt permits other than those required by the State (e.g., sandhill crane permits).

*B. Upland Game Hunting.* We allow hunting of pheasant, quail, cottontail, and jack rabbit on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. On the North Tract (including Salt Creek Wilderness Area and the portion of the refuge located north of U.S. Highway 70), all hunting must be in accordance with State seasons and regulations. On the Middle Tract (the portion of the refuge located between U.S. Highway 70 and U.S. Highway 380), we only allow pheasant hunting and restrict hunting to the designated public hunting area in the southern portion of the Tract that never approaches closer than 100 yards (90 m) from the public auto tour route; we limit hunting to Tuesdays, Thursdays, and Saturdays during the State season for the Middle Tract; and all hunting must cease at 1 p.m. (local time) on each hunt day. On the South Tract (the portion of the refuge located south of U.S. Highway 380) we only allow public hunting during Special Hunts (Youth hunters [17 years of age and younger] and/or Physically Impaired) as per State seasons and regulations.

2. Conditions A2 and A4 through A7 apply.

3. We prohibit the use of archery equipment at any time on the refuge except when hunting deer and hogs.

*C. Big Game Hunting.* We allow hunting of mule deer, white-tailed deer, and feral hog